



Agenda Date: 8/16/00
Agenda Item: 7A

STATE OF NEW JERSEY

Board of Public Utilities

*Two Gateway Center
Newark, NJ 07102*

CABLE TELEVISION

IN THE MATTER OF AT&T CABLE)	
SERVICES OF NEW JERSEY, INC. (LONG)	
BEACH ISLAND) FOR APPROVAL OF THE)	
FILING OF FCC FORM 1240 ANNUAL)	<u>ORDER ADOPTING STIPULATION</u>
UPDATING OF THE MAXIMUM PERMITTED)	
RATE FOR REGULATED CABLE SERVICE)	
USING THE OPTIONAL EXPEDITED RATE)	
PROCEDURES)	

DOCKET NO. CR00030149

SERVICE LIST ATTACHED

BY THE BOARD:

On March 1, 2000, AT&T Cable Services of New Jersey, Inc. (Long Beach Island), (Petitioner) filed Federal Communications Commission (FCC) Form 1240, Docket Number CR00030149, seeking approval by the Board of Public Utilities (Board) for an annual rate adjustment in its permitted rates resulting from an adjustment for programming costs and copyright fees pursuant to the Cable Television Consumer Protection and Competition Act of 1992, 47 U.S.C. § 543 et seq., and provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq.

The Board, at its public meeting on January 10, 1996, Docket Number CX95120636, approved the implementation of Optional Expedited Rate Procedures for the processing of certain filings made with the Office of Cable Television (OCTV). The intended purpose of these procedures is to grant final rates as quickly as possible to any cable company that chooses this process. In the spirit of cooperation based on the principles of Alternate Dispute Resolution (ADR), the discovery content is limited, thereby reducing the timeframe for settlement.

Petitioner chose to pursue its filing with the Board through the approved procedures. To that end, a pre-transmittal conference was held on April 17, 2000 and attended by representatives of the Petitioner, the Division of the Ratepayer Advocate and Board Staff. Petitioner agreed to waive its Office of Administrative Law (OAL) litigation rights for this matter currently docketed with the Board. It should be noted that Petitioner's waiver was a knowing, voluntary and intelligent waiver of its litigation rights at the OAL and that the waiver did not constitute a circumvention of the FCC's rules nor did it affect Petitioner's right to appeal in that forum.

Petitioner notified its customers of the rate changes by way of a newspaper announcement informing them of their opportunity to submit written comments to the Board for a period of thirty

days commencing from June 7, 2000 to July 7, 2000. During this time, no comments were received as a result of this public notice.

Upon review by Staff and the Ratepayer Advocate of the supporting documentation, schedules and other discovery requests, a settlement conference was held on May 2, 2000. On May 25, 2000, the parties entered into a Stipulation of Settlement.

The Board has reviewed the Stipulation and finds it to be reasonable, in the public interest and in accordance with the law. Therefore, the Board HEREBY ADOPTS the Stipulation of Settlement (attached hereto) as its own, incorporating by reference the terms and conditions therein as if fully set forth at length herein.

DATED: August 17, 2000

BOARD OF PUBLIC UTILITIES
BY:

(signed)
HERBERT H. TATE
PRESIDENT

(signed)
CARMEN J. ARMENTI
COMMISSIONER

(signed)
FREDERICK F. BUTLER
COMMISSIONER

ATTEST:

(signed)
FRANCES L. SMITH
SECRETARY

IN THE MATTER OF
AT&T CABLE SERVICES OF NEW JERSEY, INC.
(LONG BEACH ISLAND)
FCC FORM 1240 USING THE
OPTIONAL EXPEDITED RATE PROCEDURES

DOCKET NOS. CR00030149

Warren O. Fitting
Director of Regulatory Affairs
AT&T Cable Services of New Jersey, Inc.
300 Corliss Street
Pittsburgh, Pa. 15220

Carl Billek, Esq.
Assistant Deputy Ratepayer Advocate
State of New Jersey
Division of Ratepayer Advocate
31 Clinton Street - 11th Floor
Newark, New Jersey 07102

Louis Karrison
Crowe Chizek
1 Mid America Plaza
P.O. Box 3697
Oak Brook, IL 60522-3697

Francis R. Perkins, Esq.
Meyner & Landis
One Gateway Center
Suite 2500
Newark, New Jersey 07102